

Appln No. 10/621,988
Amdt date February 25, 2008
Reply to Office action of November 23, 2007

REMARKS/ARGUMENTS

In the Office action dated November 23, 2008, the Examiner rejected claims 1-10 and 15 under 35 U.S.C. §103(a) as allegedly obvious over Marcus, et al. (U.S. Patent No. 5,298,484) in view of Panescu, et al. (U.S. Patent Publication No. 2003/0078509) and Webster, Jr. (U.S. Patent No. 5,827,278). In so rejecting, the Examiner asserts that steering wires are generally very well known as evidenced by Webster, Jr., and that "the specific connection point for the steering wire is deemed to be an obvious design consideration as one of ordinary skill in the art would be capable of determining the best location to provide the optimal steering plane for aligning the transducer relative to tissue. Applicant respectfully disagrees.


Although Webster, Jr. discloses puller wires as a means for deflecting the tip section of a catheter, the catheter in Webster, Jr. includes a tip electrode and ring electrodes. Such an electrode configuration enables delivery of energy to tissue in any orientation relative to the catheter tip and electrodes. In particular, because the electrodes surfaces extend circumferentially around the catheter body, the catheter does not need to be in any specific orientation to effect ablation or mapping. In contrast, however, the catheter recited in the present claims includes an ultrasound transducer that transmits ultrasound energy toward tissue facing the front surface *but not* toward tissue facing the back surface. As the ultrasound transducer recited in the present claims emits energy in a manner and in a direction substantially different from that disclosed in Webster, Jr., the puller wires used in the recited catheter will also be different from those disclosed in Webster, Jr. Specifically, special consideration must be given as to how the distal end of the catheter body can be deflected while ensuring that the ultrasound transducer is positioned such that the front surface faces the tissue intended to be ablated. None of the Examiner's cited references teach or suggest any method of accomplishing this objective, and none of the cited references teach or suggest anchoring the deflection wires at a position that is about 70° to 120° relative to the direction that energy is emitted from the transducer, as recited in independent claim 1. Accordingly, independent claim 1, and all claims dependent therefrom, including claims 2-11, 15 and 16, are allowable over Marcus, Panescu and Webster, Jr.

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The Examiner also rejected claims 11 and 16 under 35 U.S.C. §103(a) as allegedly obvious over Marcus, Panescu and Webster, Jr. in view of either Chandrasekaran (U.S. Patent No. 6,394,956) or Crowley, et al. (U.S. Patent No. 6,004,269). However, each of claims 11 and 16 depend from independent claim 1, which is allowable over Marcus, Panescu and Webster, Jr. as discussed above. Neither Chandrasekaran nor Crowley remedy the deficiencies of Marcus, Panescu and Webster, Jr., as neither Chandrasekaran nor Crowley teach or suggest the catheter of claim 1. As such, independent claim 1, and all claims dependent therefrom, including claims 11 and 16, are allowable over Marcus, Panescu, Webster, Jr., Chandrasekaran and Crowley.

Claims 1-11, 15 and 16 remain pending in this application, with claims 17-54 withdrawn from consideration. In view of the above remarks, Applicant submits that all of pending claims 1-11, 15 and 16 are in condition for allowance. Applicant therefore respectfully requests reconsideration and a timely indication of allowance. However, if there are any remaining issues that can be addressed by telephone, Applicant invites the Examiner to contact Applicant's counsel at the number indicated below.

Respectfully submitted,
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